

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Tanvir Ahmad Mir, Ld. Counsel for Appellant.  
Constable from Wild Life Crime Control Bureau alongwith  
Advocate Ms. Seema Khatri.

Written arguments filed on behalf of respondent.

Ld. Counsel for Appellant seeks some more time to seek instructions from his client and it is stated that it is not possible to join them through VC as due to technical reason. The appellants are at liberty to join through Audio mode on next date of hearing through mobile or landline.

**Put up for further arguments on behalf of Appellant on 19.12.2020.**

Copy of written statement filed on behalf of respondent be supplied to learned counsel for Appellant side through physical form or through e-mail to be provided by Appellant during course of the day.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**14.12.2020**

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**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Tanvir Ahmad Mir, Ld. Counsel for Appellant.  
Constable from Wild Life Crime Control Bureau alongwith  
Advocate Ms. Seema Khatri.

Written arguments filed on behalf of respondent.

Ld. Counsel for Appellant seeks some more time to seek instructions from his client and it is stated that it is not possible to join them through VC as due to technical reason. The appellants are at liberty to join through Audio mode on next date of hearing through mobile or landline.

**Put up for further arguments on behalf of Appellant on 19.12.2020.**

Copy of written statement filed on behalf of respondent be supplied to learned counsel for Appellant side through physical form or through e-mail to be provided by Appellant during course of the day.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**MISC APPLICATION**

**State v. Imran @ Akhtar Khan & Ors.**  
**FIR No.: 227/2020**  
**PS: Wazirabad**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
None for the applicant.

Put up for orders/clarifications, if any on **25.03.2021** as date already fixed in regular case.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**MISC APPLICATION**

**State v. Ashu @ Atta**  
**FIR No.: 210/2018**  
**PS: Prasad Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Present:** Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
None for the applicant.

**Put up on 30.03.2021 as date already fixed in regular case.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Pooja**  
**(Applicant Mohit Sharma @Sunny)**  
**FIR No.: 292/2014**  
**PS: Rajender**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present Mr Gyan Prakash learned Substitute Addl PP for State through VC  
Sh Anang Pal Singh, Ld Counsel for accused

In view of the matter pending before Hon'ble Supreme Court, put up for further appropriate orders/directions for 25.01.2021

**(Navdeep Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Pooja  
(Applicant Mohit Sharma @Sunny)  
FIR No.: 292/2014  
PS: Rajender**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms.  
Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through  
VC.  
Sh. Anang Pal Singh, Ld. Counsel for accused.

In view of the matter pending before Hon'ble Supreme Court,  
put up for further appropriate orders/directions for 25.01.2021.

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**BAIL APPLICATION**

**State v. Pooja  
FIR No.: 292/2014  
PS: Rajender Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms.  
Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through  
VC.  
Sh. S.N. Shukla, Ld. Counsel for accused through VC.

In view of the matter pending before Hon'ble Supreme Court,  
put up for further appropriate orders/directions for 25.01.2021.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**State v. Pooja  
(Applicant Muni @ Moni)  
FIR No.: 292/2014  
PS: Rajender Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Ms. Preeti Srivastava, Ld. Counsel for accused.

In view of the matter pending before Hon'ble Supreme Court, put up for further appropriate orders/directions for 25.01.2021.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**Crl. Rev.: 140/2020,141/2020,142/2020,143/2020 and 144/2020  
Deepak Talwar v. Income Tax Office**

**14.12.2020**

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**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Tanvir Ahmed Mir, Ld. Counsel for revisionist Deepak Talwar through VC.  
Sh. Anish Dhingra, Ld. Counsel for respondent/ITO through VC.

**Put up with connected matter for order/clarifications on condonation of delay application for 18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**Crl. Rev.: 140/2020,141/2020,142/2020,143/2020 and 144/2020  
Deepak Talwar v. Income Tax Office**

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Sh. Anish Dhingra, Ld. Counsel for respondent/ITO through VC.

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ASJ-04/Central/14.12.2020**



**Crl. Rev.: 140/2020,141/2020,142/2020,143/2020 and 144/2020  
Deepak Talwar v. Income Tax Office**

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Sh. Anish Dhingra, Ld. Counsel for respondent/ITO through VC.

**Put up with connected matter for order/clarifications on condonation of delay application for 18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**Crl. Rev.: 140/2020,141/2020,142/2020,143/2020 and 144/2020  
Deepak Talwar v. Income Tax Office**

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Present: Sh. Tanvir Ahmed Mir, Ld. Counsel for revisionist Deepak Talwar through VC.  
Sh. Anish Dhingra, Ld. Counsel for respondent/ITO through VC.

**Put up with connected matter for order/clarifications on condonation of delay application for 18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**Crl. Rev.: 140/2020,141/2020,142/2020,143/2020 and 144/2020  
Deepak Talwar v. Income Tax Office**

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Present: Sh. Tanvir Ahmed Mir, Ld. Counsel for revisionist Deepak Talwar through VC.  
Sh. Anish Dhingra, Ld. Counsel for respondent/ITO through VC.

**Put up with connected matter for order/clarifications on condonation of delay application for 18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**SC:27806/2016**  
**FIR No: 173/2013**  
**PS: Burari**  
**State v. Shanu**

**14.12.2020**

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**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State through VC.  
None for accused.

**Put up for further arguments/appropriate orders for 05.02.2020.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**BAIL APPLICATION NO.: 2103/2020**

**State v. Sameer  
FIR No.: 11109/2020  
PS: Rajinder Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

**Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
None for applicant.**

**Put up for appearance and appropriate orders for 19.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**14.12.2020**

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**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Abhay Kumar, Ld. Counsel for revisionist.  
Sh. Sonal Anand, Ld. Counsel for respondent alongwith respondent in person.

No reply filed, but straightaway arguments in deail heard.

Put up for orders/clarifications, if any on 19.12.2020.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**BAIL APPLICATION NO.: 2042/2020**

**State v. Karan Arora  
FIR No.: 353/2020  
PS: Lahori Gate**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Abhay Kumar, Ld. Counsel for applicant.  
Complainant Nitin Chawla in person with counsel Sh. Sonal  
Anand.  
SI Narender Singh is also present from PS Lahori Gate.

Part arguments heard in detail.

It appears that IO has not complied so far with the direction of Hon'ble Supreme Court in judgment of Arnesh Kumar regarding recording of reasons for arrest/non-arrest . Although, he is opposing present anticipatory bail application. He is warned to be careful in future.

Put up for further arguments, if any and orders/clarifications  
**for 19.12.2020.**

Interim protection to continue in terms of previous order till next date.

Accused is directed to join investigation including tomorrow at 2 pm alongwith all documents and witnesses in his favour as per his claim.

IO to file status report accordingly.

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**14.12.2020**

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Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Vikas Sharma, Ld. Counsel for Appellant through VC.  
Ms. Jyoti Sharma, Ld. Counsel for convict/Appellant no.2  
alongwith Sh. Vijay Kr. Singh, who is also representing accused  
no. 1 company in person.  
Sh. Manmeet Singh, Ld. Counsel for respondent/ITO.

At request of counsel for Appellant, last and final opportunity given for further arguments.

**Put up for further arguments, if any and appropriate orders for 19.12.2020.**

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**





**CA: 361/2018**  
**VCI Hospitality Ltd. & Anr. v. Income Tax Officer**

**14.12.2020**

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Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh. Vikas Sharma, Ld. Counsel for Appellant through VC.  
Ms. Jyoti Sharma, Ld. Counsel for convict/Appellant no.2  
alongwith Sh. Vijay Kr. Singh, who is also representing accused  
no. 1 company in person.  
Sh. Manmeet Singh, Ld. Counsel for respondent/ITO.

At request of counsel for Appellant, last and final opportunity given for further arguments.

**Put up for further arguments, if any and appropriate orders for 19.12.2020.**

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**BAIL APPLICATION NO.: 1863/2020**

**State v. Shakira Begum  
FIR No.: NA  
PS: Darya Ganj**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

**Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Nasir Aziz, Ld. Counsel for applicant.**

It is stated that in view of order passed on the last date of hearing, the accused/applicant wants to withdraw the present application. Same is dismissed as withdrawn.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**BAIL APPLICATION NO.: 1856/2020**

**State v. Shivam Kumar  
FIR No.: 291/2020  
PS: Sarai Rohilla**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Yogesh Rathore, Ld. Counsel for applicant.  
IO is also present.

Arguments in detail heard.

Put up for orders/clarifications if any on 16.12.2020.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**CR: 249/2020**  
**Uma Shanker Kapoor & Ors. v. State**

**14.12.2020**

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Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: None for revisionist.  
Mr. Gyan Prakash, substitute Addl.PP for State/respondent through VC.

Put up for appearance of revisionist and purpose fixed on 20.04.2021.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**BAIL APPLICATION NO.: 1636/2020**

**State v. Amit @ Akash  
FIR No.: 193/2019  
PS: Prashad Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
None for applicant.  
Sh. Kunal Madan, Ld. Counsel for complainant.

Matter is listed before Hon'ble Supreme Court for 21.01.2021.

As such, put up for further arguments and appropriate proceedings on 23.01.2021.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**14.12.2020**

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**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Sh.A.S. Chaudhary, Ld. Counsel for revisionist alongwith both revisionists in person.  
Mr. Gyan Prakash, substitute Addl.PP for State/respondent through VC.  
Sh. Kapil Yadav, Ld. Counsel for respondents Ashok Kumar and Bhanu Pratap.

Put up for reply, arguments and appropriate order for 19.04.2021.

Copy of reply, if any be given in advance at least one week prior to next date.

TCR be summoned for next date if not received.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**BAIL APPLICATION NO.: 1589/2020**

**State v. Saif Ali  
FIR No.: 364/2020  
PS: Sarai Rohilla**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

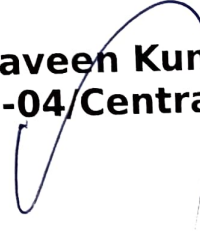
**Regular Addl. PP for the state is on leave today.**

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**Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
None for applicant.**

**Put up for appearance of counsel for applicant,  
orders/clarifications in terms of previous order for 19.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



14.12.2020

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**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Appellant Rohit @ Machhi is in JC.  
Sh. S.n. Shukla, LAC for Appellant through VC.

Put up for judgment/clarifications, if any on 16.12.2020.

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**14.12.2020**

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Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: None for Appellant.  
Mr. Gyan Prakash, substitute Addl.PP for State/R-1 through VC.  
Proxy counsel for R-2/Payal.

**Put up for purpose fixed in terms of previous order for 16.04.2021.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

SC:68/2020  
FIR No: 70/2019  
PS: Sarai Rohilla Railway station  
State v. Ankit & anr.

14.12.2020

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State.  
None for accused.

No adverse order is passed in the interest of justice.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

**Put up for purpose fixed in terms of previous order for 16.04.2021.**

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**State v. Keshav @ Ashu  
FIR No.: 273/2020  
PS: Prashad Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Lokesh Kumar, Ld. Counsel for applicant through VC.

At request, put up on 16.12.2020 for arguments and orders.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**





14.12.2020

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State through VC.  
Accused Sajid and Nazim are on bail in person .  
Ms. Seema Saini, proxy counsel for accused Yakubn alongwith  
Yakub on bail through VC.

Despite repeated opportunity and clear order passed on last date of hearing, Ld. Counsel for accused failed to address arguments. In fact, today case was fixed for physical hearing day as per convenience of such counsel. Further, opportunity was given to address arguments physically or through VC. It appears that accused side is not interested in addressing arguments at all. More than sufficient opportunity already given. As such, right to address oral arguments stand closed.

**Put up for final judgment/clarification, if any for 18.12.2020.**

Ld. Counsel for accused except Yakub is at liberty to file written arguments not exceeding two pages regarding each of the rest of the accused. It may be noted that arguments already over regarding accused Yakub.

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**CA: 39/2019**  
**Pradeep Kr Jain v. Registrar of Companies**

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: None.

No adverse order is passed in the interest of justice.

**Put up for appearance of parties/purpose fixed/orders for 26.02.2021.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State through VC.  
None for accused.

No adverse order is passed in the interest of justice.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

**Put up for purpose fixed in terms of previous order for 19.02.2021.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**SC:29007/2020  
FIR No: 284/2016  
PS:Prashad Nagar  
State v. Hari Om**

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State through VC.  
Accused Chander Shekhar is on regular bail with counsel Sh. Surjeet Singh, Ld. Counsel for all the accused.

Exemption moved on behalf of accused Hariom, Harihar Singh and Hem Lata.

**Put up for PE in terms of previous order for 22.04.2021.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION NO.: 2127/2020**

**State v. Neeraj Bhatia  
FIR No.: 141/2018  
PS: Karol Bagh**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Varun Jain, Ld. Counsel for applicant.  
IO SI Shri Narain through VC.

Reply filed by IO. Copy of the same be supplied to counsel for  
accused.

IO is directed to appear in person with SHO concerned on next  
date of hearing alongwith system on which such reply was prepared by IO.

**Issue notice to complainant through IO for next date.**

In the meanwhile, IO is directed not to take any coercive action  
against the accused provided that he fully cooperate with investigation  
and provide all the material /documents in his possession including, if any  
regarding such objections raised in such lengthy reply.

**Put up on 18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION NO.: 2126/2020**

**State v. Afsaq Alam  
FIR No.: 210/2019  
PS: Kamla Market**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

**Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. S.Haq, Ld. Counsel for applicant through VC.**

**This is a fresh regular bail application. Reply filed. Copy of  
the same be supplied to learned counsel for accused.**

**Put up for arguments/appropriate orders on  
19.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION NO.: 2107/2020**

**State v. Rajni Ahuja  
FIR No.: 56/2018  
PS: Rajinder Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Deepankar Dutt Sharma, Ld. Counsel for applicant through VC.

Arguments heard.

**Put up for orders/clarifications, if any on 15.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**BAIL APPLICATION NO.: 2108/2020**

**State v. Sameer Gupta  
FIR No.: 56/2018  
PS: Rajinder Nagar**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of  
Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Deepankar Dutt Sharma, Ld. Counsel for applicant through  
VC.

Arguments heard.

**Put up for orders/clarifications, if any on 15.12.2020.**

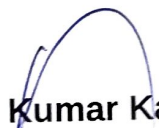
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Vipin Kumar, Revisionist in person with Proxy Counsel Sh. Naman  
Aggarwal.  
None for Respondent no.2.

Put up for judgment/clarifications, if any on 21.12.2020.

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**SC No.: 54/17**  
**FIR No: 513/16**  
**PS: Burari**  
**St. vs. Anup Kumar @ Chipra**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Accused is on regular bail with Ld. Counsel Sh. Neeraj Kumar.**

**Put up for PE/purpose fixed on 22.04.2021.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

SC No. 28517/16  
FIR No: 214/15  
PS: Civil Lines  
St. vs. Subhash Rai & Anr

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Accused Subhash and Ranjeet are present with LAC Sh. Yatender.

This case is at the stage of conclusion of arguments and judgment.  
Despite opportunities given to the accused persons, they failed to appear physically  
in the Court. Bail bond U/s 437A also not furnished.

Issue NBWs against both accused persons and notice to their sureties  
for next date of hearing through SHO concerned.

Put up for report of further NBWs and appropriate orders on  
19.01.2021.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**FIR No: 130/14**  
**PS: Jama Masjid**  
**St.vs. Shakeela & Ors.**  
**U/s 307/34 IPC**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.**  
**Retd SI Desh Pal is present.**

**Put up for purpose fixed on 20.04.2021.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**SC No. 28405/16**

**FIR No: 1288/15**

**PS: Sarai Rohilla**

**St. vs. Swalin**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
None.**

**Put up for purpose fixed/evidence in terms of previous order for  
20.04.2021.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**Court complaint Vs. Virender  
CC No. 01/2016**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.**

**Put up for appearance of parties/purpose fixed on 20.04.2021.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Vinod @ Dada  
(applicant Asish)  
FIR No.: 39/2019  
PS: Lahori Gate**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms.  
Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through  
VC.  
Sh. Harsh Hardy , Ld. Counsel for accused/applicant through  
VC.

**Put up for orders at 4 pm with file.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

Some clarifications are required from regular Addl PP for the state regarding role of present accused vis-a-vis co-accused who are already granted interim bail. Regular Addl. PP for the state is on leave today.

**As such, put up for 18.12.2020 for orders/clarifications.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**FIR No: 39/19**  
**PS: Lahori Gate**  
**St. vs. Vinod @ Dada**  
**(Application for release of money)**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Ashwani Kumar, Ld. Counsel for accused no. 1 & 3.  
Sh. Ashutosh Kumar, Ld. Counsel for complainant.

There are two applications dt. 23.10.2020 for release of case property i.e cash of Rs.20,000/- as well another application dt. 24.09.2019 release of Rs. 8,00,000/- (Eight Lacs). Today again time sought by Ld. Counsel for accused to file reply. On the other hand, it is submitted by Ld. Counsel for applicant/complainant that earlier also time was sought but despite lapse of more than one year no reply was filed.

Put up for orders/clarifications, if any on 18.12.2020.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

SC No. 27481/16  
FIR No: 386/14  
PS: Paharganj  
St vs. Pawan Shgarma

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Accused on bail with Ld. Proxy Counsel Sh. Rakesh Tyagi in person.

At request, put up for final arguments/appropriate orders on 11.02.2021.

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

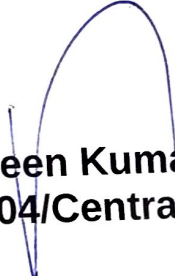
**St. Vs. Shahnawaz**  
**FIR No: 35/2020**  
**PS: Kamla Market**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present:** Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. S.K Jain, LAC for accused/applicant.  
None for applicant.  
IO in person.

This application moved through DLSA. Reply filed.  
Put up for 21.12.2020.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**


**FIR No: 678/15**  
**PS: Subzi Mandi**  
**St. vs. Ajay Pal & Ors**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Hansraj Singh, Ld. Counsel for applicant.**

**Further arguments in detailed heard on this regular bail application.  
Put up for orders/clarifications on the next physical date for 18.12.2020.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



Case No. 27759/16  
FIR No: 58/16  
PS: Burari  
St Vs. Rohit Kumar & Ors.  
U/s 302/34 IPC

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
None.

Previous order be complied with afresh for 20.04.2021.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**FIR No: 130/15**  
**PS: Kamla Market**  
**St. vs Sanjay Sharma & Ors**

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present:

Sh. Gyan Prakash, Ld. Substitute PP for State through VC.

Sh. Rashid Hashmi, Ld. Counsel for accused no.3.

At request, put up for final arguments in terms of previous order for

21.01.2021.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**Manjeet Singh Vs. Pooja Finalise Ltd**  
**PS: Rajender Nagar**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Sh. Ravinder, Ld. Counsel for Revisionist alongwith Revisionist.

It is stated that matter is settled out of Court. Copy of settlement placed on record. Issue Court notice to the respondent company on the next date.

Further, appellant is also at liberty to serve the notice and intimate the respondent to appear on the next date of hearing through AR/Ld. Counsel.

Otherwise, put up for arguments on merits on 11.02.2021.

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

FIR No: 39/19  
PS: Lahori Gate  
St. vs. Vinod @ Dada  
~~(Application for release of money)~~  
U/s 394/397/307/411/34 IPC and 25/27 Arms Act

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Ashwani Kumar, Ld. Counsel for accused no. 1 & 3.  
Sh. Ashutosh Kumar, Ld. Counsel for complainant.

Put up for further arguments on main case also on the next date of  
hearing i.e 18.12.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

14

St. vs. Imran Akhtar  
FIR No: 227/2020  
(applicant Honey Rawat)  
PS: Wazirabad

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Gurtinder Singh Gujral, Ld. Counsel for applicant through V.C.

Ld. Counsel seeks time to address arguments/furnish case law on the  
issue of consideration on the next date.

At his request, put up on 11.01.2021 to address arguments/further  
proceedings.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**St Vs, Atul Gupta & Ors.**

**SC No. 27611/16**

**FIR No: 146/14**

**PS: I.P Estate**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

This is an application for withdrawal of surety by surety Sh. Pradeep Kumar Gupta S/o Sh. Vinod Kumar Gupta who stood surety of accused Sh. Ashish Gupta S/o Sh. Om Prakash Gupta.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.

Vide order dt. 02.03.2020 the present case is already disposed off and file is already consigned to record room. Accordingly, Bail Bond cancelled, surety discharged. Security/FD of such applicant be released earlier against acknowledgment today itself.

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



FIR No: 39/19  
PS: Lahori Gate  
St. vs. Vinod @ Dada  
(Application for release of money)

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Ashwani Kumar, Ld. Counsel for accused no. 1 & 3.  
Sh. Ashutosh Kumar, Ld. Counsel for complainant.

There are two applications dt. 23.10.2020 for release of case property i.e cash of Rs.20,000/- as well another application dt. 24.09.2019 release of Rs. 8,00,000/- (Eight Lacs). Today again time sought by Ld. Counsel for accused to file reply. On the other hand, it is submitted by Ld. Counsel for applicant/complainant that earlier also time was sought but despite lapse of more than one year no reply was filed.

Put up for orders/clarifications, if any on 18.12.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**Crl. Rev.: 96/2020,97/2020,98/2020,99/2020,100/2020,101/2020  
Deepak Talwar v. Income Tax Office**

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: None for revisionist despite repeated calls.

On the last date of hearing dated 25.11.2020, it was noted that in case revisionist side failed to address arguments then stay granted would stand vacated. As none is present today, **accordingly stay granted in this case stand vacated.**

**Put up for arguments on condonation of delay application for which last and final opportunity is given to the revisionist, on 19.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At this stage,**

Sh. Tanvir Ahmed Mir, Ld. Counsel appeared for revisionist Deepak Talwar.

Sh. Anish Dhingra, Ld. Counsel for respondent/ITO also appeared.

Arguments in detail heard on application for condonation of delay  
*filed* by present revisionist.

**Put up for orders/clarifications, if any on 18.12.2020.**

**Under these circumstances, stay vacated in the morning is  
restored.**

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

: 1 :

**IN THE COURT OF SH. NAVEEN KUMAR KASHYAP:  
ADDITIONAL SESSIONS JUDGE-04:CENTRAL  
TIS HAZARI:DELHI**

**Bail Application**

**State V. Mohd. Umair @ Umer  
FIR No. : 50/20  
PS: Chandni Mahal  
U/S: 307 IPC**

**14.12.2020**

Present: Mr. Gyan Prakash, substitute Ld. Addl. PP for  
the State through VC.  
None for accused.

Arguments already heard.

Today, case was fixed for orders.

1. Vide this order, present regular bail application dated 28.10.2020 under section 439 Cr.P.C. on behalf of accused filed through counsel is disposed of.
2. I have heard both the sides and have gone through the record.
3. The personal liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. The sanctity of liberty is the fulcrum of any civilized society. Deprivation of liberty of a person has enormous impact on his mind as well as body. Further article 21 Of the Constitution mandates that no person shall be deprived of his life or personal liberty except according to procedure established by law. Further India is a signatory to the International Covenant On Civil And Political Rights, 1966 and, therefore, Article 21 of the Constitution has to be understood in the light of the International Covenant On Civil And Political Rights, 1966.



*Further* Presumption of innocence is a human right. Article 21 in view of its expansive meaning not only protects life and liberty, but also envisages a fair procedure. Liberty of a person should not ordinarily be interfered with unless there exist cogent grounds therefor. The fundamental principle of our system of justice is that a person should not be deprived of his liberty except for a distinct breach of law. If there is no substantial risk of the accused fleeing the course of justice, there is no reason why he should be imprisoned during the period of his trial. The basic rule is to release him on bail unless there are circumstances suggesting the possibility of his fleeing from justice or thwarting the course of justice. When bail is refused, it is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution.

4. Further it has been laid down from the earliest time that the object of Bail is to secure the appearance of the accused person at his trial by reasonable amount of Bail. The object of Bail is neither punitive nor preventive. Deprivation of liberty must be considered a punishment unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after convictions, and that every man is deemed to be innocent until duly tried and duly found guilty. From the earlier times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial, but in such case 'necessity' is the operative test. In this country, it would be quite contrary to the concept of personal

liberty enshrined in the constitution that any persons should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty under Article 21 of the Constitution upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. Apart from the question of prevention being the object of a refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any court to refuse bail as mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson. While considering an application for bail either under Section 437 or 439 CrPC, the court should keep in view the principle that grant of bail is the rule and committal to jail an exception. Refusal of bail is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution. Seriousness of the offence not to be treated as the only consideration in refusing bail : Seriousness of the offence should not to be treated as the only ground for refusal of bail. (Judgment of **Sanjay Chandra Vs. Central Bureau of Investigation, AIR 2012 SC 830** relied).

5. But, the liberty of an individual is not absolute. The Society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the societal order. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished

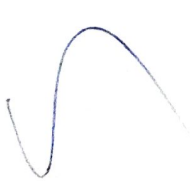


social norm. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly thing which the society disapproves, the legal consequences are bound to follow.

6. Further discretionary jurisdiction of courts u/s 437 and 439 CrPC should be exercised carefully and cautiously by balancing the rights of the accused and interests of the society. Court must indicate brief reasons for granting or refusing bail. Bail order passed by the court must be reasoned one but detailed reasons touching merits of the case, detailed examination of evidence and elaborate documentation of merits of case should not be done.

7. At this stage , it can also be fruitful to note that requirements for bail u/s 437 & 439 are different. Section 437 Cr.P.C. severally curtails the power of the Magistrate to grant bail in context of the commission of non-bailable offences punishable with death or imprisonment for life, the two higher Courts have only the procedural requirement of giving notice of the Bail application to the Public Prosecutor, which requirement is also ignorable if circumstances so demand. The regimes regulating the powers of the Magistrate on the one hand and the two superior Courts are decidedly and intentionally not identical, but vitally and drastically dissimilar. **(Sundeep Kumar Bafna Vs. State of Maharashtra, AIR 2014 SC 1745 )**.

8. Further at this stage it can be noted that interpreting the provisions of bail contained u/s 437 & 439 Cr.P.C., the Hon'ble Supreme Court in its various judgments has laid down various considerations for grant or refusal of bail to an accused in a non-bailable offence like, (i)



Whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; (ii) Nature of accusation and evidence therefor, (iii) Gravity of the offence and punishment which the conviction will entail, (iv) Reasonable possibility of securing presence of the accused at trial and danger of his absconding or fleeing if released on bail, (v) Character and behavior of the accused, (vi) Means, position and standing of the accused in the Society, (vii) Likelihood of the offence being repeated, (viii) Reasonable apprehension of the witnesses being tampered with, (ix) Danger, of course, of justice being thwarted by grant of bail, (x) Balance between the rights of the accused and the larger interest of the Society/State, (xi) Any other factor relevant and peculiar to the accused. (xii) While a vague allegation that the accused may tamper with the evidence or witnesses may not be a ground to refuse bail, but if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. Furthermore, in the landmark judgment of **Gurucharan Singh and others v. State** (AIR 1978 SC 179), it was held that there is no hard and fast rule and no inflexible principle governing the exercise of such discretion by the courts. It was further held that there cannot be any inexorable formula in the matter of granting bail. It was further held that facts and circumstances of each case will govern the exercise of judicial discretion in granting or refusing bail. It was further held that such question depends upon a variety of circumstances, cumulative effect of which must enter into the judicial verdict. Such judgment itself mentioned the

nature and seriousness of nature, and circumstances in which offences are committed apart from character of evidence as some of the relevant factors in deciding whether to grant bail or not.

9. Further it may also be noted that it is also settled law that while disposing of bail applications u/s 437/439 Cr.P.C., courts should assign reasons while allowing or refusing an application for bail. But detailed reasons touching the merit of the matter should not be given which may prejudice the accused. What is necessary is that the order should not suffer from non-application of mind. At this stage a detailed examination of evidence and elaborate documentation of the merit of the case is not required to be undertaken. Though the court can make some reference to materials but it cannot make a detailed and in-depth analysis of the materials and record findings on their acceptability or otherwise which is essentially a matter of trial. Court is not required to undertake meticulous examination of evidence while granting or refusing bail u/s 439 of the CrPC.

10. In the present case, it is submitted that accused has roots in society. That his father suffering from heart problem. That trial is likely to take time. That there is spread of corona virus. That there is no other criminal record of the accused. Accused is a young man. That no purpose would be served by keeping him JC. As such, it is prayed that he be granted regular bail.

11. On the other hand, it is argued by the learned Addl.PP for the state that complainant is know to the accused and residing in his neighbourhood. That accused was quarreling with his mother and when people present intervened then he threatened the complainant to see him



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in future and later on stabbed the complainant with knife in left abdomen and then fled from the spot. That he may threaten the complainant if released on bail and his presence may not be secured.

12. Presence of the accused as well as his identity is confirmed by the complainant. The stage of evidence of the compliance has yet not come, therefore, having regarding to the nature of offence and punishment subscribed for the same, nature of incriminating evidence against the accused , this court is not inclined to grant regular bail to accused at this stage. **With these observations present bail application is disposed of as dismissed.**

13. Observation made in this bail application are for the purpose of deciding such application only and do not effect the merits of the case.

**14. Learned counsel for the applicant / accused is at liberty to collect the order through electronic mode. Copy of this order be sent to Jail Superintendent concerned through electronic mode.**

  
**(Naveen Kumar Kashyap)**  
**Additional Sessions Judge-04**  
**Central/THC/Delhi**  
**14.12.2020**

**BAIL APPLICATION NO.: 2106/2020**

**State v. Inam ur Rehman  
FIR No.: 210/2020  
PS: Sarai Rohilla**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, Substitute Addl.PP for State through VC.  
Sh. Dharmender Kumar Mishra, Ld. Counsel for applicant through VC.

Opportunity is given to Ld. Counsel for applicant to address arguments through VC on this physical hearing day. But he insists that copy of TCR be summoned before arguments on this anticipatory bail application, despite the fact that reply already filed by IO dated 10.12.2020 to this bail application. Further, the learned counsel has also taken legal recourse as far as the grievance of declaring the accused as PO is concerned.

Still in the interest of justice, put up for arguments on next physical hearing day/orders. It is made clear that there is no interim protection in this case. **Copy of this order be sent to IO/SHO concerned accordingly.**

**Put up on 18.12.2020.**

*It is further stated by learned counsel for accused that according to him, court is not listening his arguments, at his request. Same is noted.*

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

: 1 :

**IN THE COURT OF SH. NAVEEN KUMAR KASHYAP:  
ADDITIONAL SESSIONS JUDGE-04: CENTRAL:  
TIS HAZARI: DELHI**

**ANTICIPATORY BAIL APPLICATION No.: 1793/2020**

**State v. Dinesh Kumar  
FIR No.: 391/2020  
PS: Kamla Market  
U/s: 379 IPC**

**14.12.2020**

Present: Mr. Gyan Prakash, Learned substitute Addl. PP for  
State through VC.  
Sh. Pankaj Tomar, Learned counsel for applicant /  
accused in person.  
Complainant also present in person.  
IO ASI Ganesh Singh in person.

Further arguments heard on this anticipatory application  
filed on behalf of accused/applicant.

Inter alia it is argued by learned counsel for  
accused/applicant. Accused went to the police station with some relevant  
document/pen drive and an application to submit to IO which contained  
recording with the complainant touching upon the subject matter of the  
FIR in question.

On the other hand, IO flatly denied that accused/applicant  
ever tried to give any such document to him.

Heard. The matter is passed over for 2 pm. Let SHO  
concerned to appear with IO at 2 pm at the time of further argument.

**(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
14.12.2020**

**At 2 pm.**

Present: Mr. Gyan Prakash, Learned substitute Addl. PP for  
State through VC.  
Sh. Pankaj Tomar, Learned counsel for applicant /  
accused in person.



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Complainant also present in person.  
IO ASI Ganesh Singh in person.  
SHO Kamla Market in person.

It is stated by SHO as well as IO that although accused Dinesh Kumar visited the police station after the interim protection given on 19.11.2020. But they denied that any document was sought to be given by the accused to the IO. Same is vehemently opposed by learned counsel for the accused.

Further arguments in detail heard on the present bail application.

**Put up for orders at 4 pm.**

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
14.12.2020

**At 4 pm.**

1. Vide this order, present bail application u/s 438 Cr.PC filed on 04.11.2020 for anticipatory bail by accused / applicant Dinesh Kumar is disposed of.
2. I have heard both the sides and gone through the record.
3. At this stage it may be noted that in the case of **Bhadresh Bipinbhai Sheth Vs. State Of Gujarat & Another**( Criminal Appeal Nos. 1134-1135 Of 2015, Arising Out Of Special Leave Petition (Crl.) Nos. 6028-6029 Of 2014), Hon'ble SC discussed and reviews the law relating to section 438 Cr.P.C.
4. A judgment which needs to be pointed out is a Constitution Bench Judgment of this Court in the case Gurbaksh Singh Sibbia and Other vs. State of Punjab( 1980 AIR 1632 ; 1980 SCR(3) 383), The Constitution Bench in this case emphasized that provision of anticipatory bail enshrined in Section 438 of the Code is conceptualised under Article 21 of the Constitution which relates to personal liberty. Therefore, such a provision calls for liberal interpretation of Section 438 of the Code in light of Article 21 of the Constitution. The Code explains that an anticipatory

bail is a pre- arrest legal process which directs that if the person in whose favour it is issued is thereafter arrested on the accusation in respect of which the direction is issued, he shall be released on bail. The distinction between an ordinary order of bail and an order of anticipatory bail is that whereas the former is granted after arrest and therefore means release from the custody of the police, the latter is granted in anticipation of arrest and is therefore, effective at the very moment of arrest. A direction under Section 438 is therefore intended to confer conditional immunity from the 'touch' or confinement contemplated by Section 46 of the Code. The essence of this provision is brought out in the following manner:

“26. We find a great deal of substance in Mr Tarkunde’s submission that since denial of bail amounts to deprivation of personal liberty, the court should lean against the imposition of unnecessary restrictions on the scope of Section 438, especially when no such restrictions have been imposed by the legislature in the terms of that section. Section 438 is a procedural provision which is concerned with the personal liberty of the individual, who is entitled to the benefit of the presumption of innocence since he is not, on the date of his application for anticipatory bail, convicted of the offence in respect of which he seeks bail. An over-generous infusion of constraints and conditions which are not to be found in Section 438 can make its provisions constitutionally vulnerable since the right to personal freedom cannot be made to depend on compliance with unreasonable restrictions. The beneficent provision contained in Section 438 must be saved, not jettisoned. No doubt can linger after the decision in *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248, that in order to meet the challenge of Article 21 of the Constitution, the procedure established by law for depriving a person of his liberty must be fair, just and reasonable. Section 438, in the form in which it is conceived by the legislature, is open to no exception on the ground that it prescribes a

procedure which is unjust or unfair. We ought, at all costs, to avoid throwing it open to a Constitutional challenge by reading words in it which are not to be found therein.”

5. Though the Court observed that the principles which govern the grant of ordinary bail may not furnish an exact parallel to the right to anticipatory bail, still such principles have to be kept in mind, namely, the object of bail which is to secure the attendance of the accused at the trial, and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise, bail is not to be withheld as a punishment. The Court has also to consider whether there is any possibility of the accused tampering with evidence or influencing witnesses etc. Once these tests are satisfied, bail should be granted to an undertrial which is also important as viewed from another angle, namely, an accused person who enjoys freedom is in a much better position to look after his case and to properly defend himself than if he were in custody. Thus, grant or non-grant of bail depends upon a variety of circumstances and the cumulative effect thereof enters into judicial verdict. The Court stresses that any single circumstance cannot be treated as of universal validity or as necessarily justifying the grant or refusal of bail. After clarifying this position, the Court discussed the inferences of anticipatory bail in the following manner:

“31. In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is



to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the State" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in *The State v. Captain Jagjit Singh*, AIR 1962 SC 253 : (1962) 3 SCR 622 : (1962) 1 Cri LJ 216, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail."

6. It is pertinent to note that while interpreting the expression "may, if it thinks fit" occurring in Section 438(1) of the Code, the Court pointed out that it gives discretion to the Court to exercise the power in a particular case or not, and once such a discretion is there merely because the accused is charged with a serious offence may not by itself be the

reason to refuse the grant of anticipatory bail if the circumstances are otherwise justified. At the same time, it is also the obligation of the applicant to make out a case for grant of anticipatory bail. But that would not mean that he has to make out a "special case". The Court also remarked that a wise exercise of judicial power inevitably takes care of the evil consequences which are likely to flow out of its intemperate use.

7. Another case to which can be referred to is the judgment of a Division Bench of this Court in the case of Siddharam Satlingappa Mhetre v. State of Maharashtra and Others( SLP(CRL.) 7615/2009 DATED 02-12-2021).This case lays down an exhaustive commentary of Section 438 of the Code covering, in an erudite fashion, almost all the aspects and in the process relies upon the aforesaid Constitution Bench judgment in Gurbaksh Singh's case. In the very first para, the Court highlighted the conflicting interests which are to be balanced while taking a decision as to whether bail is to be granted or not, as is clear from the following observations:

"1. ....This appeal involves issues of great public importance pertaining to the importance of individual's personal liberty and the society's interest. Society has a vital interest in grant or refusal of bail because every criminal offence is the offence against the State. The order granting or refusing bail must reflect perfect balance between the conflicting interests, namely, sanctity of individual liberty and the interest of the society. The law of bails dovetails two conflicting interests, namely, on the one hand, the requirements of shielding society from the hazards of those committing crimes and potentiality of repeating the same crime while on bail and on the other hand, absolute adherence to the fundamental principle of criminal jurisprudence regarding presumption of innocence of an accused until he is found guilty and the sanctity of individual liberty....."

8. The principles which can be culled out can be stated as under:

(i) The complaint filed against the accused needs to be thoroughly examined, including the aspect whether the complainant has filed a false or frivolous complaint on earlier occasion. If the connivance between the complainant and the investigating officer is established then action be taken against the investigating officer in accordance with law.

(ii) The gravity of charge and the exact role of the accused must be properly comprehended. Before arrest, the arresting officer must record the valid reasons which have led to the arrest of the accused in the case diary. In exceptional cases, the reasons could be recorded immediately after the arrest, so that while dealing with the bail application, the remarks and observations of the arresting officer can also be properly evaluated by the court.

(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.

(iv) There is no justification for reading into Section 438 CrPC the limitations mentioned in Section 437 CrPC. The plenitude of Section 438 must be given its full play. There is no requirement that the accused must make out a "special case" for the exercise of the power to grant anticipatory bail. This virtually, reduces the salutary power conferred by Section 438 CrPC to a dead letter. A person seeking anticipatory bail is



still a free man entitled to the presumption of innocence. He is willing to submit to restraints and conditions on his freedom, by the acceptance of conditions which the court may deem fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.

(v) The proper course of action on an application for anticipatory bail ought to be that after evaluating the averments and accusations available on the record if the court is inclined to grant anticipatory bail then an interim bail be granted and notice be issued to the Public Prosecutor. After hearing the Public Prosecutor the court may either reject the anticipatory bail application or confirm the initial order of granting bail. The court would certainly be entitled to impose conditions for the grant of anticipatory bail. The Public Prosecutor or the complainant would be at liberty to move the same court for cancellation or modifying the conditions of anticipatory bail at any time if liberty granted by the court is misused. The anticipatory bail granted by the court should ordinarily be continued till the trial of the case.

(vi) It is a settled legal position that the court which grants the bail also has the power to cancel it. The discretion of grant or cancellation of bail can be exercised either at the instance of the accused, the Public Prosecutor or the complainant, on finding new material or circumstances at any point of time.

(vii) In pursuance of the order of the Court of Session or the High Court, once the accused is released on anticipatory bail by the trial court, then it would be unreasonable to compel the accused to surrender before the trial court and again apply for regular bail.

(viii) Discretion vested in the court in all matters should be exercised with care and circumspection depending upon the facts and circumstances justifying its exercise. Similarly, the discretion vested with the court under Section 438 CrPC should also be exercised with caution and prudence. It is unnecessary to travel beyond it and subject the wide power

and discretion conferred by the legislature to a rigorous code of self-imposed limitations.

(ix) No inflexible guidelines or straitjacket formula can be provided for grant or refusal of anticipatory bail because all circumstances and situations of future cannot be clearly visualised for the grant or refusal of anticipatory bail. In consonance with legislative intention, the grant or refusal of anticipatory bail should necessarily depend on the facts and circumstances of each case.

(x) The following factors and parameters that need to be taken into consideration while dealing with anticipatory bail:

(a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(c) The possibility of the applicant to flee from justice;

(d) The possibility of the accused's likelihood to repeat similar or other offences;

(e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the Penal Code, 1860 the court should consider with even greater care

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and caution, because overimplication in the cases is a matter of common knowledge and concern;

(h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

9. Now in this background of law we come back to present case. It is argued by learned counsel for accused that he is falsely implicated in the present case. It is further alleged that complainant Sunil Yadav alongwith one Vijay Kumar used abusive language against him. That IO of the case is taking favour of the complainant Sunil Yadav and Vijay Kumar. That present case is punishable with imprisonment for upto three years only. That it is further stated that matter is likely to be compromised between the parties. That applicant fully cooperate with the investigation including after granting interim protection by this court. As such, it is prayed that IO/SHO concerned be directed to grant bail in the event of his arrest.

10. On the other hand, it is submitted by the IO that accused has stolen a sum of Rs. 1,20,000/- of complainant. It is further submitted that he is not cooperating with the investigation. It is further submitted that his custodial interrogation is required for recovery of such money. As such, present anticipatory bail application is vehemently opposed.



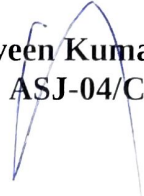
11. The complainant and accused are government servants. Being a government servant accused is expected to conduct himself above board particularly in matters relating to present nature. Moreso, having regard to the place where he is working i.e. a Government of India Press. Further, as per IO he is not cooperated with the investigation and only joined the investigation once. It is further the case that stolen money is not yet recovered. Therefore, having regard to the nature of acquisition and the nature of offence and the conduct of the accused, it cannot be said that allegations against him are baseless. Further, under these facts and circumstances, no ground is made out to grant the relief sought in the present application. **With these observations present application is dismissed.**

12. But before parting, it may be noted that conduct of the IO and supervisory SHO is not satisfactory prima facie. The IO is supposed to conduct a fair investigation and accept all the documents whether it goes in favour or against the accused. But it appears that the accused side wanted to hand over some pen drive but IO flatly refused to accept the same, nor SHO concerned ensured any remedial action. This is despite the fact that earlier interim protection was given to the accused by the court and he was directed to join the investigation and fully cooperate with the investigation which itself implies that accused can give to the IO all the relevant documents. As such, the manner in which investigation is carried out is not satisfactory. If this is the plight of investigation then same should be brought to the notice of worthy DCP concerned as it further appears that IO did not even recorded reason to arrest or not to arrest, although he was opposing the present anticipatory bail application, despite there being specific directions in the judgment of Arnesh Kumar by Hon'ble Supreme Court. **As such, the copy of this order be sent to DCP concerned(Central District) through Naib Court of this court. Acknowledgment of the receiving of such order by DCP concerned be placed on record within two weeks.**

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13. Copy of this order be given to both parties through electronic mode. Further copy of this order be sent to IO/SHO and DCP concerned through electronic mode.

14. Observation made in this bail application are for the purpose of deciding such application only and do not effect the merits of the case.

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
14.12.2020

## BAIL APPLICATION

**SC No. 264/2020**  
**State Vs Imran @ Akhtar Khan**  
**(Bail application of Yogesh Singh @ Sonu Pehlwan)**  
**FIR No. 227/2020**  
**PS: Wazirabad**  
**U/S: 302/120B IPC & 27 Arms Act**

14.12.2020

Present: Sh. Gyan Prakash, Ld. Substitute PP for the State through VC.  
Sh. Shitiz Sharma, Ld. Counsel for accused/applicant Sh. Yogesh Singh @ Sonu Pehlwan in person.

Vide this order, the bail application under section 439 Cr.P.C. on behalf of accused dated 28/11/2020 filed through counsel is disposed of.

I have heard both the sides and have gone through the record.

The personal liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. The sanctity of liberty is the fulcrum of any civilized society. Deprivation of liberty of a person has enormous impact on his mind as well as body. Further article 21 Of the Constitution mandates that no person shall be deprived of his life or personal liberty except according to procedure established by law. Further India is a signatory to the International Covenant On Civil And Political Rights, 1966 and, therefore, Article 21 of the Constitution has to be understood in the light of the International Covenant On Civil And Political Rights, 1966. *Further* Presumption of innocence is a human right. Article 21 in view of its expansive meaning not only protects life and liberty ,but also envisages a fair procedure. Liberty of a person should not ordinarily be interfered with unless there exist cogent grounds therefor. The fundamental principle of our system of justice is that a person should not be deprived of his liberty except for a distinct breach of law. If there is no substantial risk of the accused fleeing the course of justice, there is no reason why he should be imprisoned during the period of his trial. The basic rule is to release him on bail



**SC No. 264/2020**  
**State Vs Imran @ Akhtar Khan**  
**(Bail application of Yogesh Singh @ Sonu Pehlwan)**  
**FIR No. 227/2020**  
**PS: Wazirabad**  
**U/S: 302/120B IPC & 27 Arms Act**

unless there are circumstances suggesting the possibility of his fleeing from justice or thwarting the course of justice. When bail is refused, it is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution.

Further it has been laid down from the earliest time that the object of Bail is to secure the appearance of the accused person at his trial by reasonable amount of Bail. The object of Bail is neither punitive nor preventive. Deprivation of liberty must be considered a punishment unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after convictions, and that every man is deemed to be innocent until duly tried and duly found guilty. From the earlier times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial ,but in such case 'necessity' is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the constitution that any persons should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty under Article 21 of the Constitution upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. Apart from the question of prevention being the object of a refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any court to refuse bail as mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson. While considering an application for bail either under Section 437 or 439 CrPC, the court should keep in view the principle that grant of bail

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is the rule and committal to jail an exception. Refusal of bail is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution. Seriousness of the offence not to be treated as the only consideration in refusing bail : Seriousness of the offence should not to be treated as the only ground for refusal of bail. (Judgment of **Sanjay Chandra Vs. Central Bureau of Investigation, AIR 2012 SC 830** relied).

But, the liberty of an individual is not absolute. The Society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the societal order. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly thing which the society disapproves, the legal consequences are bound to follow.

Further discretionary jurisdiction of courts u/s 437 and 439 CrPC should be exercised carefully and cautiously by balancing the rights of the accused and interests of the society. Court must indicate brief reasons for granting or refusing bail. Bail order passed by the court must be reasoned one but detailed reasons touching merits of the case, detailed examination of evidence and elaborate documentation of merits of case should not be done.

At this stage , it can also be fruitful to note that requirements for bail u/s 437 & 439 are different. Section 437 Cr.P.C. severally curtails the power of the Magistrate to grant bail in context of the commission of non-bailable offences punishable with death or imprisonment for life, the two higher Courts have only the procedural requirement of giving notice of the Bail application to the Public Prosecutor, which requirement is also ignorable if circumstances so demand. The



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of each case will govern the exercise of judicial discretion in granting or refusing bail. It was further held that such question depends upon a variety of circumstances, cumulative effect of which must enter into the judicial verdict. Such judgment itself mentioned the nature and seriousness of nature, and circumstances in which offences are committed apart from character of evidence as some of the relevant factors in deciding whether to grant bail or not.

Further it may also be noted that it is also settled law that while disposing of bail applications u/s 437/439 Cr.P.C., courts should assign reasons while allowing or refusing an application for bail. But detailed reasons touching the merit of the matter should not be given which may prejudice the accused. What is necessary is that the order should not suffer from non-application of mind. At this stage a detailed examination of evidence and elaborate documentation of the merit of the case is not required to be undertaken. Though the court can make some reference to materials but it cannot make a detailed and in-depth analysis of the materials and record findings on their acceptability or otherwise which is essentially a matter of trial. Court is not required to undertake meticulous examination of evidence while granting or refusing bail u/s 439 of the CrPC.

In this case, it is argued on behalf of accused that he is falsely implicated in this case. Chargesheet is already filed. More importantly, it is argued that even as per the prosecution the accused was even not present at the spot or committed the alleged offence in question. In fact his arrest later on that to based on disclosure statement of co-accused. It is further argued that nothing is recovered from him. It is further argued that his presence was shown near the place of alleged incident in question. It is further argued that there is no legally tenable evidence even associating the Swift Car in question

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with the present accused and owner of the same is somebody else. The accused himself surrendered in the PS. That CDR is of 23.05.2020 and not of the date of incident of 01.06.2020. It is further argued that more importantly that even the charge of U/s 120-B IPC is not made out as alleged meeting/gathering took place on 08.06.2020 as per the witness Udit Arora I.e after the incident in question. It is further argued that accused is corona positive at present and medical prescription of government hospital is placed on record. It further stated that accused wife Lalita is suffering from disease.

As such, it is prayed that he be granted regular bail.

On the other hand, in reply dated 05/12/2020 filed by Inspector P.C Yadav, it is submitted that offence is most serious in nature punishable U/s 302 IPC r/w Section 120-B IPC. That three unknown person on motorcycle fired on the house of complainant Ramvir Singh and because of such bullet injuries tenant of the complainant died ultimately. But it is admitted that present accused is arrested based on disclosure statement of co-accused and whole of the conspiracy was found out during investigation that present accused on the request of accused Ajeet further hatched the criminal conspiracy with co-accused Hari Kishan and co-accused Imran, Vikrant, Rahul for executing the offence in question. That present applicant CDR was found near the spot of incident on 23.05.2020 when he was making call to co-accused Ajeet. Motorcycle of other accused was found in CCTV Camera and through further lead the case was solved that present accused was found involved in other criminal cases also. Co accused Vikrant is yet to be arrested. Accused may threatened witnesses as such bail application is strongly

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opposed.

I have heard both the sides and gone through the record. As per the case of prosecution, present accused is not the accused who actually participated in the firing in which the tenant of the complainant expired. Further, as per the prosecution present accused is not the person who had any contact or revengeful passed conduct with the complainant. Further, his presence is not found in CCTV Camera on the date of incident. Thus, prima facie the present accused is found involved in the present case based on U/s 120-B/34 IPC i.e conspiracy/common intention. Therefore, having regard to the role assigned to the present accused, the nature of incriminating material against him and the fact that trial is likely to be taken some more time, coupled with the fact that accused is corona positive patient, the present accused is granted bail i.e. on his furnishing a personal bond and two surety bond in the sum of Rs. 20,000/- each to the satisfaction of the Court, subject to the following conditions:

*subject to the satisfaction of the learned Trial court and the following additional conditions:*

- i) Applicant shall not flee from the justice;*
- ii) Applicant shall not tamper with the evidence;*
- iii) Applicant shall not threaten or contact in any manner to the prosecution witnesses ,*
- iv) Applicant shall not leave country without permission;*
- v) Applicant shall convey any change of address immediately to the IO and the court;*



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- vi) Applicant shall also provide his mobile number to the IO;*
- vii) Applicant shall mark his attendance before concerned IO (and if IO is not available then to concerned SHO) every alternative /second day through mobile by sharing his/her location with the SHO concerned till the chargesheet is filed;*
- viii) Applicant shall further make a call, preferably by audio plus video mode to concerned IO, (and if IO is not available then to concerned SHO) once a week, preferably on Monday between 10 a.m. to 5 p.m. till the chargesheet is filed.*
- ix) Applicant shall keep their such mobile number 'Switched On' at all the time, particularly between 8 am to 8 pm everyday till the chargesheet is filed*
- x) That applicant will cooperate with the investigation / IO / SHO concerned and will appear before IO / Trial Court as and when called as per law.*
- xi) Applicant will not indulge in any kind of activities which are alleged against him in the present case.*

*It is clarified that in case if the applicants/ accused is found to be violating any of the above conditions, the same shall be a ground for cancellation of bail and the State shall be at liberty to move an application for cancellation of bail.*

**The bail application is accordingly disposed off. Learned counsel for applicant is at liberty to obtain dasti order or through electronic mode. Copy of order be uploaded on website.**



**SC No. 264/2020**  
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It is made clear that observation made in this order are for the purpose of deciding the present bail application only.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**Bail Matter No.: 2117/2020**

**St Vs. Afsar**

**FIR No: 187/2020**

**PS: Hauz Qazi**

**14.12.2020**

**Today this court is holding physically hearing as per directions. One of the steno is quarantined.**

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. S.D Dixit, Ld. Counsel for accused alongwith accused Afsar on interim bail.

At request, arguments heard on this application for extension of interim bail.

It is stated that her daughter is a handicapped child and only sole bread earner of his family. It is further stated as already mentioned in the main application that only source of his income was tempo and the same is still damage.

It is prayed that interim bail is extended another 15 days. Heard.

In this application regular bail of the accused is already rejected and thereafter vide order dt. 19.11.2020 he was granted interim bail for such reasons only, which are clear from said order dt. 19.11.2020. As such this Court do not found sufficient reasons to extend such interim bail. As such, same is hereby rejected. Accused is directed to surrender as per order dt. 19.11.2020.

Copy of this order be sent to Jail Superintendent for necessary action.

Further copy of this order be also given dasti to the accused.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Arsalan Ali  
(Applicant Juber)  
FIR No.: 182/2017  
PS: Kamla Market**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Sh. M.S. Masih, Ld. Counsel for accused/applicant

Further arguments heard.

**Put up for orders at 4 pm with file.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

It is submitted by Ahlmad that file is called by C.A. Branch and not received back. As such, put up for orders/clarifications, if any with file on **18.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Shakeel  
FIR No.: 142/2017  
PS: Lahori Gate**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Sh. A.A. Qureshi, Ld. Counsel for accused/applicant

Further arguments heard.

**Put up for orders at 4 pm with file.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

Some clarifications are required from regular Addl PP for the state regarding role of present accused vis-a-vis co-accused who are already granted interim bail. Regular Addl. PP for the state is on leave today.

**As such, put up for 18.12.2020 for orders/clarifications.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Raj Bahadur  
(applicant Yadvender @ Guddu Yadav)  
FIR No.: 130/2014  
PS: Kamla Market**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Sh. Bijan Kumar, Ld. Counsel for accused/applicant

Further arguments heard.

**Put up for orders at 4 pm with file.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

Some clarifications are required from regular Addl PP for the state regarding role of present accused vis-a-vis co-accused who are already granted interim bail. Regular Addl. PP for the state is on leave today.

**As such, put up for 18.12.2020 for orders/clarifications.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

CA No. 77/19

**Rajender Kumar vs. M/s Ajay Industrial Corporation Pvt Ltd**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Appellant in person with Ld. Counsel Sh. Hansraj Singh.  
Ld. Counsel for Respondent through VC with AR.

Some time is sought by appellant to furnish bail bond U/s 437A as his surety is not available in Delhi. Last opportunity given to accused to furnish such bail bond on the next date.

Put up for furnishing bail bond/judgment/clarifications, if any, on  
18.12.2020.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**



**IN THE COURT OF SH. NAVEEN KUMAR KASHYAP:  
ADDITIONAL SESSIONS JUDGE-04:CENTRAL  
TIS HAZARI:DELHI**

**Bail Application**

**State V. Arjun Kumar  
FIR No. : 205/2018  
PS: Lahori Gate  
U/S: 307 IPC**

**14.12.2020**

Present: Mr. Gyan Prakash, substitute Ld. Addl. PP for the State through VC.  
Sh. Deepak Kumar, Ld. Counsel for accused through VC.

Arguments already heard.

Today, case was fixed for orders.

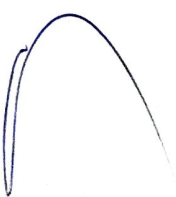
1. Vide this order, present regular bail application dated 07.10.2020 under section 439 Cr.P.C. on behalf of accused filed through counsel is disposed of.

2. I have heard both the sides and have gone through the record.

3. The personal liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. The sanctity of liberty is the fulcrum of any civilized society. Deprivation of liberty of a person has enormous impact on his mind as well as body. Further article 21 Of the Constitution mandates that no person shall be deprived of his life or personal liberty except according to procedure established by law. Further India is a signatory to the International Covenant On Civil And Political Rights, 1966 and, therefore, Article 21 of the Constitution has to be understood in the light of the

International Covenant On Civil And Political Rights, 1966. *Further* Presumption of innocence is a human right. Article 21 in view of its expansive meaning not only protects life and liberty ,but also envisages a fair procedure. Liberty of a person should not ordinarily be interfered with unless there exist cogent grounds therefor. The fundamental principle of our system of justice is that a person should not be deprived of his liberty except for a distinct breach of law. If there is no substantial risk of the accused fleeing the course of justice, there is no reason why he should be imprisoned during the period of his trial. The basic rule is to release him on bail unless there are circumstances suggesting the possibility of his fleeing from justice or thwarting the course of justice. When bail is refused, it is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution.

4. Further it has been laid down from the earliest time that the object of Bail is to secure the appearance of the accused person at his trial by reasonable amount of Bail. The object of Bail is neither punitive nor preventive. Deprivation of liberty must be considered a punishment unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after convictions, and that every man is deemed to be innocent until duly tried and duly found guilty. From the earlier times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial ,but in such case 'necessity' is the operative test. In this country,



it would be quite contrary to the concept of personal liberty enshrined in the constitution that any persons should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty under Article 21 of the Constitution upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. Apart from the question of prevention being the object of a refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any court to refuse bail as mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson. While considering an application for bail either under Section 437 or 439 CrPC, the court should keep in view the principle that grant of bail is the rule and committal to jail an exception. Refusal of bail is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution. Seriousness of the offence not to be treated as the only consideration in refusing bail : Seriousness of the offence should not to be treated as the only ground for refusal of bail. (Judgment of **Sanjay Chandra Vs. Central Bureau of Investigation, AIR 2012 SC 830** relied).

5. But, the liberty of an individual is not absolute. The Society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the societal order. A society expects responsibility and accountability from the member, and it desires that the



citizens should obey the law, respecting it as a cherished social norm. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly thing which the society disapproves, the legal consequences are bound to follow.

6. Further discretionary jurisdiction of courts u/s 437 and 439 CrPC should be exercised carefully and cautiously by balancing the rights of the accused and interests of the society. Court must indicate brief reasons for granting or refusing bail. Bail order passed by the court must be reasoned one but detailed reasons touching merits of the case, detailed examination of evidence and elaborate documentation of merits of case should not be done.

7. At this stage , it can also be fruitful to note that requirements for bail u/s 437 & 439 are different. Section 437 Cr.P.C. severally curtails the power of the Magistrate to grant bail in context of the commission of non-bailable offences punishable with death or imprisonment for life, the two higher Courts have only the procedural requirement of giving notice of the Bail application to the Public Prosecutor, which requirement is also ignorable if circumstances so demand. The regimes regulating the powers of the Magistrate on the one hand and the two superior Courts are decidedly and intentionally not identical, but vitally and drastically dissimilar. **(Sundeep Kumar Bafna Vs. State of Maharashtra, AIR 2014 SC 1745 )**.

8. Further at this stage it can be noted that interpreting the provisions of bail contained u/s 437 & 439 Cr.P.C., the Hon'ble Supreme Court in its various judgments has laid down various considerations for grant or refusal of

bail to an accused in a non-bailable offence like, (i) Whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; (ii) Nature of accusation and evidence therefor, (iii) Gravity of the offence and punishment which the conviction will entail, (iv) Reasonable possibility of securing presence of the accused at trial and danger of his absconding or fleeing if released on bail, (v) Character and behavior of the accused, (vi) Means, position and standing of the accused in the Society, (vii) Likelihood of the offence being repeated, (viii) Reasonable apprehension of the witnesses being tampered with, (ix) Danger, of course, of justice being thwarted by grant of bail, (x) Balance between the rights of the accused and the larger interest of the Society/State, (xi) Any other factor relevant and peculiar to the accused. (xii) While a vague allegation that the accused may tamper with the evidence or witnesses may not be a ground to refuse bail, but if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. Furthermore, in the landmark judgment of **Gurucharan Singh and others v. State** (AIR 1978 SC 179), it was held that there is no hard and fast rule and no inflexible principle governing the exercise of such discretion by the courts. It was further held that there cannot be any inexorable formula in the matter of granting bail. It was further held that facts and circumstances of each case will govern the exercise of judicial discretion in granting or refusing bail. It was further held that such question depends upon a variety of circumstances, cumulative effect of which must enter into



the judicial verdict. Such judgment itself mentioned the nature and seriousness of nature, and circumstances in which offences are committed apart from character of evidence as some of the relevant factors in deciding whether to grant bail or not.

9. Further it may also be noted that it is also settled law that while disposing of bail applications u/s 437/439 Cr.P.C., courts should assign reasons while allowing or refusing an application for bail. But detailed reasons touching the merit of the matter should not be given which may prejudice the accused. What is necessary is that the order should not suffer from non-application of mind. At this stage a detailed examination of evidence and elaborate documentation of the merit of the case is not required to be undertaken. Though the court can make some reference to materials but it cannot make a detailed and in-depth analysis of the materials and record findings on their acceptability or otherwise which is essentially a matter of trial. Court is not required to undertake meticulous examination of evidence while granting or refusing bail u/s 439 of the CrPC.

10. In the present case, it is submitted that accused has roots in society. That he is in JC since 16.10.2018. That matter is at evidence stage which is likely to take time. That there is spread of corona virus. That there is no other criminal record of the accused. That bail is a rule and jail is exception. That is already compromised between the accused and the complainant/victim Kishan. That no purpose would be served by keeping him JC. As such, it is prayed that he be granted regular bail.

11. On the other hand, it is argued by the learned

Addl.PP for the state that accused is a drug addict. That he demanded money from the complainant and when he refused to take, he assaulted the complainant with a broken glass on his neck. That weapon of offence also recovered. That offence is very serious in nature. That his presence may not be secured if he is granted bail.

12. Presence of the accused as well as his identity is confirmed by the complainant. The stage of evidence of the complainant has yet not come, therefore, having regarding to the nature of offence and punishment subscribed for the same, nature of incriminating evidence against the accused, this court is not inclined to grant regular bail to accused at this stage. **With these observations present bail application is disposed of as dismissed.**

13. Observation made in this bail application are for the purpose of deciding such application only and do not effect the merits of the case.

**14. Learned counsel for the applicant / accused is at liberty to collect the order through electronic mode. Copy of this order be sent to Jail Superintendent concerned through electronic mode.**

  
**(Naveen Kumar Kashyap)**  
**Additional Sessions Judge-04**  
**Central/THC/Delhi**  
**14.12.2020**

**SC:28296/2016**  
**FIR No: 292/2014**  
**PS: Rajinder Nagar**  
**State v. Pooja**

**14.12.2020**

*File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.*

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing.

**This court is holding physically today as per directions.**

**This court is also discharging Bail Roster duty.**

**Undersigned is also working as link Bail Roster Judge of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

**Regular Addl. PP for the state is on leave today.**

**One of the regular steno is on half day leave.**

Present: Mr. Gyan Prakash, substitute Addl.PP for State through VC.  
Sh. Diwakar Chaudhary, LAC for accused no.1 & 2 through VC.  
Ms. Preeti Aggarwal, Ld. Counsel for accused no.3 in person with accused Munni @ moni.  
Sh. Anang Pal, Ld. Counsel for accused no.4 alongwith accused Mohit Sharma @ Sunny.

Part final arguments heard from accused no.3 and 4.

**At request, put up for further arguments on 15.01.2021.**

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

SC No. 27451/16  
FIR No: 139/11  
PS: I.P Estate  
St. Vs. Anadil Hasan & Ors

14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Accused no.2 Raju Lal Jaat is on regular bail through V.C  
Rest of five accused are on regular bail.  
Sh. Ajay Verma, Ld. Counsel for accused Firoz Alam is present.

Last and final opportunity given to Ld. Counsel for accused to address his final arguments. It is made clear that no further opportunities would be given to accused to address oral arguments as mater is <sup>old of u</sup> up to year 2016.

Put up for further proceedings on 22.02.2021.

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**(Bail Application of Ram Nawal @ Parsuram)**

**FIR No: 327/16**

**PS: Roop Nagar**

**U/s 302 IPC**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
None for applicant.**

**Put up for appearance of Ld. Counsel for applicant/appropriate orders  
on 25.01.2021.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**Bail Application**  
**FIR No: 252/16**  
**PS: Kotwali**  
**St. vs. Sunder**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
None for applicant.

Put up for appearance of Ld. Counsel for applicant/appropriate orders  
on 25.01.2021.

  
**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**Bail Application  
(Applicant Anis @ Dupattewala)  
FIR No: 20/15  
PS: Kamla Market  
St. Vs. Tehsin @ Kevda**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Waiz Islam, Ld. Counsel for accused.**

**Arguments heard on behalf of Ld. Counsel for accused.**

**Put up for orders/clarifications for case file on 18.12.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



14.12.2020

Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
IO/ASI Ashok Kumar is present.

Further status report filed.

It is stated that accused Renu Singh neither joined the investigation nor  
even found <sup>at a</sup> the given address <sup>when a</sup> as such IO went to his native place Balrampur, UP in  
October.

Further such accused did not joined the investigation despite interim  
protection vide order dt. 23.11.2020.

Put up for orders/clarifications, if any on 17.12.2020.

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020

**BAIL APPLICATION**

**State v. Govind Kumar  
FIR No.: 215/2014  
PS: NDRS**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Sh. S.N. Shukla, Ld. Counsel for accused/applicant through VC.

Further arguments heard.

**Put up for orders at 4 pm with file.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

Some clarifications are required from regular Addl PP/IO regarding previous bail moved by this accused and order thereof.

**Put up on 19.12.2020 for orders/clarifications.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**BAIL APPLICATION**

**State v. Sunil  
(applicant Sunil Rathore)  
FIR No.: 415/2015  
PS: Kotwali**

**14.12.2020**

**This court is holding physically today as per directions.**

**Undersigned is also working as link court of Ms. Neelofer Abida Parveen, Ld. ASJ, Central.**

Present: Mr. Gyan Prakash learned Substitute Addl.PP for State through VC.  
Sh. Ravinder Aggarwal, Ld. Counsel for accused/applicant through VC.

Further arguments heard.

**Put up for orders at 4 pm with file.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**At 4 pm**

Some clarifications are required regarding last bail application, if any moved by such accused and role thereof.

**Put up on 21.12.2020.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**



**Bail Application  
(Applicant Sunny)  
FIR No: 20/16  
PS: Crime Branch  
St. Vs. Taufiq @ Kala**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
Sh. Harshvardhan, Ld. Counsel for accused.

Part arguments heard.

Put up for further arguments including the role of the accused bail, if  
any rejected for last time.

Put up for further arguments on 19.12.2020.

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**

**St Vs. Sanju @ Chawmin**  
**(applicant for bail of Sanju @ Chawmin**  
**FIR No: 135/17**  
**PS: ODRS**

**14.12.2020**

**Today this court is holding physically hearing as per directions.**  
**One of the steno is quarantined.**

**Present:** Sh. Gyan Prakash, Ld. Substitute PP for State through VC.  
None.

Put for appearance of Ld. Counsel for applicant/arguments on  
07.01.2021.

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/14.12.2020**

**Bail Application  
(Applicant Yunus)  
FIR No: 142/2017  
PS: Lahori Gate  
St. vs. Shakir**

**14.12.2020**

**Today this court is holding physically hearing as per directions.  
One of the steno is quarantined.**

**Present: Sh. Gyan Prakash, Ld. Substitute PP for State through VC.**

**Put up for arguments/appropriate orders on 06.01.2021.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/14.12.2020**